

## **Appendix A**

Public Law 101-630, as amended, (Codified in 25 United States Code 3203, § 1169), *Indian Child Protection and Family Violence Prevention Act, as amended*

## **Sec. 3203. - Reporting procedures**

**(a)** Omitted

**(b)** Notification of child abuse reports

**(1)** When a local law enforcement agency or local child protective services agency receives an initial report from any person of -

**(A)** the abuse of a child in Indian country, or

**(B)** actions which would reasonably be expected to result in abuse of a child in Indian country, the receiving agency shall immediately notify appropriate officials of the other agency of such report and shall also submit, when prepared, a copy of the written report required under subsection (c) of this section to such agency.

**(2)** Where a report of abuse involves an Indian child or where the alleged abuser is an Indian and where a preliminary inquiry indicates a criminal violation has occurred, the local law enforcement agency, if other than the Federal Bureau of Investigation, shall immediately report such occurrence to the Federal Bureau of Investigation.

**(c)** Written report of child abuse

**(1)** Within 36 hours after receiving an initial report described in subsection (b) of this section, the receiving agency shall prepare a written report which shall include, if available -

**(A)** the name, address, age, and sex of the child that is the subject of the report;

**(B)** the grade and the school in which the child is currently enrolled;

**(C)** the name and address of the child's parents or other person responsible for the child's care;

**(D)** the name and address of the alleged offender;

**(E)** the name and address of the person who made the report to the agency;

**(F)** a brief narrative as to the nature and extent of the child's injuries, including any previously known or suspected abuse of the child or the child's siblings and the suspected date of the abuse; and

**(G)** any other information the agency or the person who made the report to the agency believes to be important to the investigation and disposition of the alleged abuse.

**(2) (A)** Any local law enforcement agency or local child protective services agency that receives a report alleging abuse described in section 3202(3) [u](#) of this title shall immediately initiate an investigation of such allegation and shall take immediate, appropriate steps to secure the safety and well-being of the child or children involved.

**(B)** Upon completion of the investigation of any report of alleged abuse that is made to a local law enforcement agency or local child protective services agency, such agency shall prepare a final written report on such allegation.

**(d)** Confidentiality of informant

The identity of any person making a report described in subsection (b)(1) of this section shall not be disclosed, without the consent of the individual, to any person other than a court of competent jurisdiction or an employee of an Indian tribe, a State or the Federal Government who needs to know the information in the performance of such employee's duties

**Sec. 2258. - Failure to report child abuse**

A person who, while engaged in a professional capacity or activity described in subsection (b) of section 226 of the Victims of Child Abuse Act of 1990 on Federal land or in a federally operated (or contracted) facility, learns of facts that give reason to suspect that a child has suffered an incident of child abuse, as defined in subsection (c) of that section, and fails to make a timely report as required by subsection (a) of that section, shall be guilty of a Class B misdemeanor